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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/517,127 03/02/00 MOORE

S MI22-1246

EXAMINER

021567 QM12/0425
WELLS ST JOHN ROBERTS GREGORY AND MATKIN
SUITE 1300
601 W FIRST AVENUE
SPOKANE WA 99201-3828

ELEY, T	
ART UNIT	PAPER NUMBER

3723
DATE MAILED:

04/25/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Applicant(s)

09/517,127

Applicant(s)

MOORE ET AL.

Examiner

Timothy V Eley

Art Unit

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 39-48 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11, 15-20, 25-29, 32-34, 37, 38, 40-47, 49, 50, 53-55, 57, 58, 62, 63 and 67 is/are rejected.
- 7) ☒ Claim(s) 4-6, 12-14, 21-24, 30, 31, 35, 36, 51, 52, 56, 59-61 and 64-66 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,6,8.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

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DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 7-9, 11, 16-20, 25, 58, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka '620 et al.

a. Tanaka et al disclose a semiconductor processor system comprising, a process container 11, a connection coupled with the process container, a sensor 19 coupled with the connection, a control system 18 coupled with the sensor and configured to control at least one operation of the semiconductor processor system, and a sampling system(at 13).

b. Tanaka et al do not specifically disclose a process chamber.

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c. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Tanaka et al system by enclosing the workpiece in a chamber thereby reducing the passing of contaminants to the atmosphere.

d. Regarding claim 16, to store historical data corresponding to the process fluid would have been an obvious matter of choice since storing data would clearly allow for better operating of the system.

4. Claims 1, 7-10, 15-17, 27-29, 32-34, 37, 38, 49, 50, 53-55, 57, 58, 62, 63, and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurisawa.

a. Kurisawa discloses a semiconductor processor system comprising, a process container 2, a connection coupled with the process container, a sensor(see abstract) coupled with the connection, a control system(see abstract) coupled with the sensor and configured to control at least one operation of the semiconductor processor system, a recirculation system, and a mixer.

b. Kurisawa does not specifically disclose a process chamber.

c. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Kurisawa system by enclosing the workpiece in a chamber thereby reducing the passing of contaminants to the atmosphere.

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d. To store historical data corresponding to the process fluid would have been an obvious matter of choice since storing data would clearly allow for better operating of the system.

Allowable Subject Matter

5. Claims 4-6, 21-24, 30, 31, 35, 36, 51, 52, 56, 59-61, and 64-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 39-48 are allowed.

Conclusion

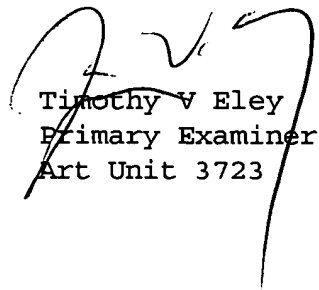
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V Eley whose telephone number is 703-308-1824. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703-308-2687. The fax telephone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-3588 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



Timothy V Eley
Primary Examiner
Art Unit 3723

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April 20, 2001